

Attorney Docket No.: 215545.01301

Customer No. 27160

U.S. Patent Application No. 10/631,831

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CAMELOT et al. Group Art Unit: 3765

Application No.: 10/631,831 Examiner: Not Yet Assigned

Filed: August 1, 2003 Confirmation No.: Not Yet Assigned

For: ENCAPSULATED CRYSTALLINE Atty. Dkt. No.: 215545.01301

LACTIC ACID

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 December 1, 2004

## **INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56 and in accordance with the practice under 37 C.F.R. §§1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Forms PTO/SB/08A and PTO/SB/08B. In accordance with current practice, copies of any listed U.S. Patent Documents are not being provided. For the convenience of the Examiner, a copy of an International Search Report for a corresponding foreign application is being provided.

## FORMAL MATTERS

In accordance with 37 C.F.R. § 1.97(b)(3), since a first Official Action on the merits of the subject application has not yet been issued, neither a certificate, petition nor payment of a fee is believed to be required for this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee which may be required in connection with this paper to Deposit Account No. 50-1710.

Doc #:WAS01 (215545-01301) 41570761v1;12/01/2004/Time:11:02

Attorney Docket No.: 215545.01301 U.S. Patent Application No. Customer No. 27160 10/631,831

## **CONCLUSION**

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B be returned indicating that such information has been considered.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Gilberto M. Villacorta, Ph.D. Registration No. 34,038 Sunit Talapatra, Ph.D.

Registration No. 54,482

Patent Administrator KATTEN MUCHIN ZAVIS ROSENMAN 525 West Monroe Street, Suite 1600 Chicago, Illinois 60661-3963 (202) 625-3500 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Application Number 10/631,831
Filing Date August 1, 2003
First Named Inventor CAMELOT et al. 3765
Examiner Name Not Yet Assigned
Attorney Docket Number 215545.01301

			U. S. PATENT D	OCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	<sup>US-</sup> 4,713,251	12/15/1987		
	2	<sup>US-</sup> 4,576,825	03/18/1986		
	3	<sup>US-</sup> 3,359,120	12/19/1967		
	4	<sup>US-</sup> 4,537,784	08/27/1985	<u> </u>	
	5	<sup>US-</sup> 2,992,116	07/11/1961		
	6	<sup>US-</sup> 3,560,222	02/02/1971		
	7	US- 4,262,027	04/14/1981		
	8	<sup>US-</sup> 4,497,845	02/05/1985		
	9	<sup>US-</sup> 4,511,584	04/16/1985		
	10	<sup>US-</sup> 4,511,592	04/16/1985		
	11	<sup>US-</sup> 4,772,477	09/20/1988		
	12	<sup>US-</sup> 6,153,236	11/29/2000		7
	13	<sup>US-</sup> 3,819,838	06/25/1974		
	14	<sup>US-</sup> 3,279,994	10/18/1966		
	15	<sup>US-</sup> 3,159,874	12/08/1964	· · · · · · · · · · · · · · · · · · ·	
	16	<sup>US-</sup> 3,110,626	11/12/1963		
-	17	<sup>US-</sup> 3,015,128	01/02/1963		
	18	<sup>US-</sup> 2,799,241	07/16/1957		
	19	<sup>US-</sup> 2,648,609	08/11/1953		

		FORE	<b>IGN PATENT DOCU</b>	MENTS		$\neg$
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	т6
	<u> </u>	Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			Of Noisvant I igures i ippear	
	21	EP 699392 A2	03/06/1996			
	22	EP 527570 A1	02/17/1993			
	ļ					
		P., = 1				
						Ш

Examiner	Date	
Signature	Considered	
0.9.10.0	00/15/00/00	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO **Application Number** 10/631,831 Filing Date August 1, 2003 INFORMATION DISCLOSURE First Named Inventor CAMELOT et al. STATEMENT BY APPLICANT Art Unit 3765 (Use as many sheets as necessary) Examiner Name Not Yet Assigned Attorney Docket Number 215545.01301

Sheet

Examiner	Cite No. <sup>1</sup>	Document Number	U. S. PATENT D	Name of Patentee or	Pages, Columns, Lines, Where
Initials*		Number-Kind Code <sup>2 (# known)</sup>	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
	20	<sup>US-</sup> 3,341,466	12/09/1967		
		US-			
		US-			
		US-			
•		US-			
-		US-			
		US-		<u> </u>	
		US-			
<del></del>		US-			

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear			
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			T <sup>6</sup>		
						-		
						┢		
		A had the second of the second						
	<u> </u>							

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (08-03)

Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitut	te for form 1449/PTC	)		Complete if Known		
Gubsulu	10 10/10/11 1445// 10	•		Application Number	10/631,831	
INFO	ORMATIO	N DIS	CLOSURE	Filing Date	August 1, 2003	
STA	TEMENT	BY A	PPLICANT	First Named Inventor	CAMELOT et al.	
	(Use as many s	hoote ne n	oeoccoud.	Art Unit	3765	
	(Ose as many s			Examiner Name	Not Yet Assigned	
Sheet	3	of	3	Attorney Docket Number	215545.01301	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number(s), publisher, city and/or country where published.		T <sup>2</sup>
	23	Schouten et al. (Low Temperature Crystal Structure and Molecular Conformation of L(+) Lactic Acid, J. Mol. Structure, 323: 165-168 (1994))	
	24	D. Jones & P. Percel (Coating of Multiparticulates Using Molten Materials Formulation and Process Consideration, Multiparticle Oral Drug Delivery, Chapter 6, Marcel Dekker Inc. (1994))	
	25	Neumuller, Otto-Albrecht: "Rompps Chemie-Lexikon", 1995, FRANCKH'SCHE VERLAGSBUCHHANDLUNG, W. Keller & CO., STUTTGART XP002220562, Page 2616.	
	-		
	L		

	· · · · · · · · · · · · · · · · · · ·		
Examiner		Date	
Signature		Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.